

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
2006 Quadrennial Regulatory Review –)	MB Docket No. 06-121
Review of the Commission’s Broadcast)	
Ownership Rules and Other Rules Adopted)	
Pursuant to Section 202 of the)	
Telecommunications Act of 1996)	
)	MB Docket No. 02-277
2002 Biennial Regulatory Review – Review)	
of the Commission’s Broadcast Ownership)	
Rules and Other Rules Adopted Pursuant)	
to Section 202 of the Telecommunications)	
Act of 1996)	MM Docket No. 01-235
)	
Cross-Ownership of Broadcast Stations and)	
Newspapers)	MM Docket No. 01-317
)	
Rules and Policies Concerning Multiple)	
Ownership of Radio Broadcast Stations in)	
Local Markets)	MM Docket No. 00-244

Definition of Radio Markets

To the Commission:

Comments of Judith F. Leggett and Nickolaus E. Leggett

We are two of the original petitioners for the establishment of the Low Power FM (LPFM) radio broadcasting service (RM-9208 July 7, 1997 subsequently included in MM Docket 99-25). Judith F. Leggett is a network administrator. Nickolaus E. Leggett is an analyst.

Concentrated Media and Emergency Broadcasting

Observers in the press and elsewhere have noted on numerous occasions that the highly concentrated broadcast media have served specific localities during emergencies very poorly. Highly concentrated media are

poorly equipped to respond to specific emergencies in specific locations. The concentrated media operate highly automated radio stations that continuously broadcast nationally-based program material. These media outlets lack personnel with local knowledge and local interests. Program material is mostly developed at distant studios that have no connection to the situation or disaster area.

Additionally, many of the concentrated broadcasting corporations view the radio spectrum as a private economic resource, and show little concern for the emergency service obligations of broadcasting.

The National Emergency Channel

This situation in emergency broadcasting can be ameliorated by establishing a National Emergency Channel (NEC) on each broadcast band (AM, FM, and TV) loosely modeled after the ones currently used in two way communications for marine traffic and aviation. A NEC should be established on the same frequency throughout the Nation. This would allow the listener to tune in the same spot on the dial to receive emergency broadcasts regardless of their location in the United States. The location of the National Emergency Channel should be readily discernable or hard coded so that the user can easily find it.

Emergency Channel Content

During emergencies the NEC would broadcast immediate local information generated by emergency management authorities and by staff

members operating the local NEC stations. Natural disasters, major spills/releases and attacks would be covered by this channel. When there is no emergency, the NEC channel would transmit local news bulletins, local alerts, local government meetings, local events, and neighborhood bulletins from local police, government, and organizations.

Physical Infrastructure

Concentrating program origination in a few locations serves emergency communication very poorly. To ensure the most robust physical set up and the survival of the network under catastrophic conditions, each nationwide National Emergency Channel should be implemented by operating a large set of low power radio broadcasting stations in various locations. All of these stations would transmit on exactly the same frequency. Each station would broadcast on a 24/7 basis from an omni directional antenna. NEC stations would be present in all areas of the United States from rural to densely populated urban areas.

Each NEC station would be a manned, robust, self-sufficient station equipped with a back-up generator capability with ample fuel. These stations could also be equipped with alternative power generating energy sources.

NEC Staffing

Each National Emergency Channel would be staffed by volunteers and/or paid staff from the local community. In this regard, they would be like

a volunteer fire department working to serve their communities. The volunteers could be pulled from a wide variety of ages and backgrounds ranging from high school students to retirees. Some of the NEC stations could be based at schools, colleges, and universities drawing volunteers from the student body. These stations could be directly included in the curriculum of these educational institutions. Others could be associated with Red Cross chapters, civic and church groups, retirement communities, veterans' hospitals, and perhaps even prisons (operated by trustees). Paid employees would be paid a modest stipend for their services. Training should be provided to both volunteers and to paid employees.

Funding

The NEC would be funded by a combination of public and private funds. Public funds from the Department of Homeland Security and state sources would be used to purchase broadcast sites, studio quarters, and equipment. Operating costs would be supported primarily by local fundraising efforts and by contributions from corporate sources. On the air fund raising, like that used by National Public Radio, can be a primary technique for fund raising.

On occasion, there would be exceptions to the general pattern of funding. For example, wealthy individuals may choose to donate entire NEC stations with the land they are located on. Individual cities with special needs could choose to set up NEC stations in underprivileged areas that

would especially benefit from such stations.

Moving Existing Broadcast Stations

Some existing broadcast stations will need to be relocated off of their current frequency assignments to accommodate the newly established nationwide NEC channel. Compensation and contingencies will need to be developed to deal with these situations. However, this is a matter of national defense and national security and should take precedent over corporate interests and the profit motive. At the same time, the Commission should make a major effort to relocate the displaced stations on equally attractive, alternative frequencies.

Regulations for NEC Stations

The Commission should establish technical and operating regulations for the NEC stations. In the FM broadcast band, the Commission can draw upon the regulations already used for the low power FM (LPFM) broadcasting service.

Steps for Establishing the National Emergency Channel System

The NEC system should first be established on the FM broadcast band. This first step has the strong advantage of using the extensive experience of the low power FM (LPFM) radio broadcasting service. This experience could be applied directly for establishing and operating NEC stations. In addition, the transmitters and other broadcasting equipment used for LPFM can be used without modification for NEC service. As utility and service is

demonstrated to the local community some sort of formal recognition should be developed for service above and beyond the required minimum.

When experience has been obtained on establishing a nationwide NEC system on the FM band, a NEC system could be established on the AM broadcast band. If a low power AM (LPAM) broadcast service has been established by this time, its procedures, rules, and equipment can be carried over to the AM broadcast band NEC.

When NEC systems are established on the FM and AM broadcast bands, then it can be established on television. Clearly, the establishment of a TV NEC will be more complex than the radio systems. An alternative NEC on cable TV may be an easier option.

Requested Actions

Since the consolidated media has a poor track record under local emergency conditions, and given the growing desire by local communities for acceptable local coverage under disaster and emergency conditions, the Commission must move to provide a National Emergency Channel on each broadcast band. This docket represents a good opportunity to take the first significant steps in this direction.

Respectfully submitted,

Judith F. Leggett and Nickolaus E. Leggett, LPFM Petitioners (RM-9208)

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